

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (currently amended) A method of selecting a pay per view program to be transmitted to a program receiver, the method comprising:
  - a. obtaining a schedule of pay per view programs at the program receiver, each of the pay per view programs having a title and a plurality of transmission times;
  - b. generating a menu comprising the titles of at least one pay per view program, based on the schedule;
  - c. providing the menu to a display device for display to a user;
  - d. receiving from the user a selection by title of the pay per view program from the menu to be received by the program receiver;
  - e. the program receiver determining a potential transmission time of the pay per view program to be received by the program receiver based on the plurality of transmission times in the schedule of pay per view programs;
  - f. determining at the program receiver if an availability status of a content delivery path is available at a predetermined time prior to the potential transmission time, comprising:
    - i. determining if a program is scheduled to be recorded during the potential transmission time;
    - ii. if a program is scheduled to be recorded during the potential transmission time, determining that the availability status of the content delivery path is not available;

- iii. if no programs are scheduled to be recorded during the potential transmission time, at the predetermined time period prior to the potential transmission time:
    - (1) displaying a change channel request to change to the associated transmission channel for the potential transmission time;
    - (2) waiting a predetermined wait for response time for a response to the change channel request from the user;
    - (3) if the response to the change channel request received from the user is positive, determining that the availability status of the content delivery path is available;
    - (4) if the response to the change channel request received from the user is negative, determining that the availability status of the content delivery path is not available; and
    - (5) if the response to the change channel request is not received from the user within the predetermined wait for response time for receiving the change channel request, determining that the availability status of the content delivery path is available;
  - g. if the availability status of the content delivery path is available at the predetermined time prior to the potential transmission time, requesting transmission of the pay per view program at the potential transmission time on the associated transmission channel; and
  - h. if the availability status of the content delivery path is not available at the predetermined time prior to the potential transmission time, repeating (e) – (g) until the availability status of the content delivery path is available.
2. (canceled)
3. (canceled)

4. (currently amended) The method of Claim 3 Claim 1, wherein there are a plurality of content delivery paths each content delivery path having an associated availability status, and wherein (f) is repeated until it is determined that a respective content delivery path has an availability status of available or that all content delivery paths have an associated availability status of not available.
5. (previously presented) The method of Claim 1, further comprising:
  - i. receiving the pay per view program at the potential transmission time.
6. (original) The method of Claim 5, wherein (i) further comprises displaying a screen overlay to prevent viewing of the pay per view program during receipt of the pay per view program.
7. (original) The method of Claim 5, further comprising:
  - j. storing the pay per view program; and
  - k. making the pay per view program available for viewing.
8. (original) The method of Claim 7, wherein the pay per view program is stored on a hard disk drive.
9. (original) The method of Claim 7, wherein (k) further comprises displaying a notification that the pay per view program is available for display.
10. (original) The method of Claim 1, wherein (d) further comprises receiving a payment authorization from the user.

11. (canceled)

12. (canceled)

13. (canceled)

14. (canceled)

15. (canceled).

16. (canceled)

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (canceled)